

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
	§	CASE NO. 23-30835
PHASE ONE SERVICES LLC	§	
	§	
Debtor	§	CHAPTER 11

MOTION FOR APPROVAL OF POST-PETITION MONTHLY RETAINER PAYMENTS

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Phase One Services LLC (the "Debtor"), files this Motion for Approval of Post-Petition Monthly Retainer Payments and establishing procedures for these post-petition monthly retainer deposits. In support thereof, the Debtor respectfully represent as follows:

I. Jurisdiction, Venue and Background

1. This Court has jurisdiction to consider the motion pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief requested herein are Sections 327 and 328 of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rules") and Local Rule 2014 and 2016 of the Local Court Rules of the United States Bankruptcy Court for

the Southern District of Texas.

Background

3. On March 8, 2023 ("Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101-1532 ("Bankruptcy Code").

4. The Debtor continues to manage and operate its trucking business as Debtor-In-Possession pursuant to §§1107 and 1108 of the Bankruptcy Code.

5. By this Motion, Debtor respectfully requests the entry of an order, pursuant to Sections 105(a) and 331 of the Bankruptcy Code and Bankruptcy Rules 2014 and 2016, establishing procedures for post-petition payments of professionals and deposits of post-petition monthly payments into the firms IOLTA trust account. These funds can only be applied for through and approved by the Court.

6. Debtor has already sought to engage a professional in this case in the capacity of Debtor's Counsel, The Lane Law Firm, PLLC (Docket No. 3), seeking approval, under Section 327 of the Bankruptcy Code, to engage the firm to assist the Debtor.

7. The Debtor requests that the Court allow it to deposit \$4,000.00 per month into The Lane Law Firm, PLLC's IOLTA Trust Account until this case is administratively closed, for future post-petition legal fees of Debtor's counsel and an additional amount of \$1,500.00 per month to the Subchapter V Trustee, which would be subject to Court approval through fee applications. The funds for The Lane Law firm, PLLC would be deposited for its future post-petition legal fees into its the IOLTA Trust Account and would be subject to Court approval. The future post-petition legal fees for the SubChapter V Trustee shall be directly deposited into their IOLTA Trust Account and would be subject to further Court approval.

8. Debtor is requesting this motion for the Court to approve the monthly post-petition deposits pursuant to the terms of the Retainer Agreement. These monthly deposits do not in anyway put a financial strain on the current operations of the business. This motion is to help minimize impact of any temporary or final fee applications filed in this case so that Debtor has these funds already set aside

in the firms IOLTA Trust account and would not be required to pay these fees and expenses upon the entry of a Court order. These funds would still be subject to Court approval as stated in the Application to Employ (Docket No. 3) filed in this case.

PRAYER

WHEREFORE, Debtor hereby requests that this Court enter an order that allows the Debtor to deposit post-petition monthly payments into The Lane Law Firm, PLLC's and the SubChapter V Trustee's IOLTA Trust Accounts and for such other and further relief as the Debtor may show itself justly entitled.

Respectfully submitted,

THE LANE LAW FIRM, PLLC

/s/Robert C. Lane

Robert C. Lane

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notifications@lanelaw.com

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6200 Savoy, Suite 1150

Houston, Texas 77036

(713) 595-8200 Voice

(713) 595-8201 Facsimile

PROPOSED COUNSEL FOR
DEBTOR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Motion for Approval of Post-Petition Monthly Deposits was served to the parties listed below and to the parties on the attached mailing matrix either via e-mail, electronic notice by the court's ECF noticing system, or by first-class mail pre-paid postage on March 8, 2023:

Debtor:

Phase One Services LLC
10604 ½ Wallisville Road
Houston, Texas 77044

US Trustee:

Office of The United States Trustee
515 Rusk Street, Suite 3516
Houston, TX 77002

Notice will be electronically mailed to:

US Trustee

USTPRegion07.HU.ECF@USDOJ.GOV

Alicia Lenae Barcomb on behalf of U.S. Trustee US Trustee
alicia.barcomb@usdoj.gov

/s/Robert C. Lane

Robert C. Lane

Label Matrix for local noticing
0541-4
Case 23-30835
Southern District of Texas
Houston
Wed Mar 8 07:46:43 CST 2023

Phase One Services LLC
10604 1/2 Wallisville Rd
Houston, TX 77013-4123

4
United States Bankruptcy Court
PO Box 61010
Houston, TX 77208-1010

Ashley Williams
12910 Breezy Meadow Ln.
Houston, TX 77044-1165

Aztec Portacans & Containers, LTD
2001 W 34th Street
Houston, TX 77018

Cashable LLC
2 Executive Blvd 305
Suffern, NY 10901-8219

City of Houston
PO Box 1560
Houston, TX 77251-1560

Cloud Fund, LLC
400 Rella Blvd Suite 165-101
Suffern, NY 10901-4241

Cosco Shipping Lines
15600 JFK Blvd 400
Houston, TX 77032-2344

DCLI Chassis
PO Box 603061
Charlotte, NC 28260-3061

Dakota Financial
11755 Wilshire Blvd Suite 1670
Los Angeles, CA 90025-1526

Department of Public Safety & Corrections
PO Box 61047
New Orleans, LA 70161-1047

Evergreen Shipping Agency
16000 North Dallas Parkway 400
Dallas, TX 75248-6609

Falcon Fleet Maintenance
PO Box 7228
Houston, TX 77248-7228

Financial Pacific Leasing
3455 S. 344th Way Ste 300
Federal Way, WA 98001-9546

HAPAG-LLOYD (AMERICA) LLC
Regional Headquarters
399 Hoes Lane
Piscataway, NJ 08854-4115

HMM Co., LTD
222 West Las Colinas Blvd 700
Irving, TX 75039-5468

Harris County Toll Road Authority
PO Box 4440
Houston, TX 77210-4440

Houston Industrial Yard, Inc./Triton Realty
3657 Briarpark Drive 300
Houston, TX 77042-5266

IPFS Corporation
P.O. Box 412086
Kansas City, MO 64141-2086

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Law Offices of Isaac H. Greenfield PLLC
2 Executive Blvd 305
Suffern, NY 10901-8219

M&M Tire and Mechanic Shop
11649 Wallisville Road
Houston, TX 77013-3418

Mediterranean Shipping Company Inc.
4700 W Sam Houston Pkwy N 250
Houston, TX 77041-8225

Motive Credit Card
3500 South Dupont Highway
Dover, DE 19901-6041

Navitas Credit
203 Fort Wade Road 300
Ponte Vedra, FL 32081-5159

OTR Leasing
9100 Liberty Drive
Liberty, MO 64068-7500

Padfield & Stout
420 Throckmorton Street Suite 1210
Fort Worth, TX 76102-3792

Plexe LLC
6295 Greenwood Plaza Blvd 100
Englewood, CO 80111-4978

Sealand Maersk Company
9300 Arrowpoint Blvd
Charlotte, NC 28273-8136

Shark Trucking
12106 Mesa Drive
Houston, TX 77016-1622

Silverline Services Inc.
1334 Peninsula Blvd 160
Hewlett, NY 11557-1226

Small Business Administration
409 3rd St SW
Washington, DC 20416-0005

Stream
PO Box 650261
Dallas, TX 75265-0261

TBS Factoring Service
PO Box 18109
Oklahoma City, OK 73154-0109

TRAC Intermodel
750 College Road East
Princeton, NJ 08540-6646

TXTAG
PO Box 650749
Dallas, TX 75265-0749

The Feldman Law Firm, P.C.
3000 Marcus Avenue 2W15
New Hyde Park, NY 11042-1005

The LCF Group
3000 Marcus Avenue 15
New Hyde Park, NY 11042-1005

The Lane Law Firm
6200 Savoy Dr Ste 1150
Houston, TX 77036-3369

Transfer Shipping
25 W I-65 Service Road
Mobile, AL 36608-1201

US Trustee
Office of the US Trustee
515 Rusk Ave
Ste 3516
Houston, TX 77002-2604

Waste Management
1001 Fannin Suite 4000
Houston, TX 77002-6711

Willscot
4646 E Van Buren Street
Phoenix, AZ 85008-6915

Ying Yang
3250 Briarpark Dr Suite 201
Houston, TX 77042-4263

ZiM American Integrated Shipping Lines
5801 Lake Wright Drive
Norfolk, VA 23502-1863

Robert Chamless Lane
The Lane Law Firm
6200 Savoy Drive
Ste 1150
Houston, TX 77036-3369

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Phase One Services LLC
10604 1/2 Wallisville Rd
Houston, TX 77013-4123

(u)Williams Scotsman, Inc.
10604 1/2 Wallisville Road
77103

End of Label Matrix	
Mailable recipients	46
Bypassed recipients	2
Total	48